

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 18 October 2004

CASE NO.: 2005-TLC-00001

ETA Case No.: R6-04245-24285

In the Matter of:

GLOBAL HORIZONS, INC. – ZIRKLE FRUIT CO.
Employer.

DECISION AND ORDER OF DISMISSAL

This matter arises under the temporary agricultural labor services provision of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(H)(ii)(a), and its implementing regulations, found at 20 C.F.R. Part 655. An appeal of the Region VI Regional Administrator's denial of the H-2A application filed by Global Horizons, Inc. on behalf of Zirkle Fruit Co. ("Employer") was received by this Office and assigned to me on October 13, 2004.

On October 14, 2004, in a telephone conference with my law clerk, Ms. Natalie K. Brouwer, Employer's attorney, stated that Employer was not settling this case with the Department of Labor, and that Employer was not re-applying for an H-2A temporary labor certification. Instead, Ms. Brouwer stated that Employer withdraw its request for appellate review and that Employer was frustrated with the H-2A process. By letter dated October 15, 2004, Mr. Mordechai Orian, representing Employer, notified this Office that it is withdrawing its request for review. Accordingly, it is **HEREBY ORDERED** that the request to dismiss the appeal is **GRANTED** and this matter is marked **CLOSED**.

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GERALD M. ETCHINGHAM
Administrative Law Judge

San Francisco, California